



# House of Representatives

General Assembly

**File No. 347**

February Session, 2012

Substitute House Bill No. 5263

*House of Representatives, April 11, 2012*

The Committee on Environment reported through REP. ROY of the 119th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT INCREASING THE PENALTY FOR POACHING.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-109 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) A person is guilty of criminal trespass in the third degree when,  
4 knowing that such person is not licensed or privileged to do so: (1)  
5 Such person enters or remains in premises which are posted in a  
6 manner prescribed by law or reasonably likely to come to the attention  
7 of intruders or are fenced or otherwise enclosed in a manner designed  
8 to exclude intruders, or which belong to the state and are appurtenant  
9 to any state institution; or (2) such person enters or remains in any  
10 premises for the purpose of hunting, trapping or fishing; or (3) such  
11 person enters or remains on public land which is posted in a manner  
12 prescribed by law or reasonably likely to come to the attention of  
13 intruders or is fenced or otherwise enclosed in a manner designed to  
14 exclude intruders.

15 (b) Criminal trespass in the third degree is a class C misdemeanor,  
16 except that any person found guilty under subdivision (2) of  
17 subsection (a) of this section shall be guilty of a class B misdemeanor  
18 and fined not less than five hundred nor more than one thousand  
19 dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	53a-109

**ENV**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Effect	FY 13 \$	FY 14 \$
Judicial Dept.	GF - Revenue Gain	Less than 4,000	Less than 4,000

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

This bill increases, from \$500 to \$1,000, the penalty from certain poaching offenses, and changes the classification of the offense. This is anticipated to result in a revenue gain of less than \$4,000 annually.<sup>1</sup>

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to fee changes and the number of violations.

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<sup>1</sup> In FY 11, there was a total of approximately \$4,635 collected in revenue under CGS 53a-109.

**OLR Bill Analysis****sHB 5263*****AN ACT INCREASING THE PENALTY FOR POACHING.*****SUMMARY:**

By law, a person who enters or remains in any premises to hunt, trap, or fish, although the person knows he or she is not licensed or privileged to do so, is guilty of 3<sup>rd</sup> degree criminal trespass.

This bill increases the penalty for this offense, making it a Class B misdemeanor punishable by up to six months imprisonment, a fine of between \$500 and \$1,000, or both. Under current law, it is a Class C misdemeanor punishable by up to three months imprisonment, up to a \$500 fine, or both.

EFFECTIVE DATE: October 1, 2012

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea    29    Nay   0    (03/23/2012)